

**REMARKS**

Claims 1, 3-17, and 19-33 are pending in the present application.

It is respectfully submitted that all of the presently pending claims are allowable for at least the following reasons, and therefore reconsideration is respectfully requested.

Claim 3 has been amended to correct a minor matter of form. No new matters have been added, and the claim is supported by the present application. Approval and entry are respectfully requested.

Claims 1, 3-11, 13-17, 19-27, and 29-32 stand rejected under 35 U.S.C. § 102(b) as anticipated by United States Patent No. 5,732,074 to Spaur et al. (the “Spaur” reference).

To reject a claim under 35 U.S.C. § 102, the Office must demonstrate that **each and every claim feature is identically disclosed** in a single prior art reference. (See Scripps Clinic & Research Foundation v. Genentech, Inc., 18 U.S.P.Q.2d 1001, 1010 (Fed. Cir. 1991)). “The identical invention must be shown in as complete detail as is contained in the claim.” M.P.E.P. § 2131.

It is respectfully submitted that the “Spaur” reference does not identically disclose (or even suggest) each and every feature of the claimed subject matter.

Independent claim 1 relates to a method for translating a message of a first protocol received by a first driver to a second protocol transmitted by a second driver. The method according to claim 1 includes the features of receiving the message from the first driver by a message dispatcher before transmitting the message to a message handler, wherein the message dispatcher selects the message handler from a set of one or more message handlers by consulting a database. The method also includes the features of converting the message received by the first driver to an independent format; transmitting the message from the first driver to a second driver via a message handler; and converting the message received by the second driver in the independent format to the second protocol.

It is respectfully submitted that the “Spaur” reference does not discuss or even suggest — let alone identically disclose or describe — receiving a message from a first driver by a message dispatcher before transmitting the message to a message handler. The “Spaur” reference also does not identically describe that the message dispatcher selects the message handler from a set of one or more message handlers by consulting a database. The Office Action apparently relies on element 30 of figure 2 of the “Spaur” reference as disclosing the features of claim 2 (now canceled, since these features are now in claim 1). (Office Action; page 3, ll. 18-22). However, the Office Action also relies on element 30 of figure 2 as

disclosing a message handler. (Office Action; page 3, ll. 3-5). This position is inconsistent as it requires element 30 of the “Spaur” reference to perform the function of the message dispatcher, to transmit a message to the same element 30, in purporting to perform the function of the message handler. Therefore, the Office Action requires that element 30 receive a message and transmit the message to itself, after selecting itself by consulting a database. This interpretation is contrary to the plain meaning of the claims and the specification of the presently claimed subject matter.

Additionally, the database referred to in the Final Office Action, assertedly data memory 106 and program memory 114, are also both part of element 30. Therefore, element 30 of the “Spaur” reference (which purportedly provides the functions of the claim) receives a message, consults itself to determine where to send the message, and in response transmits the message to itself. This interpretation of the claim, and the “Spaur” reference, deprives the claim of all meaning, and is therefore contrary to the law and reasoning. The “Spaur” reference does not identically disclose (or even suggest) receiving a message from a first driver by a message dispatcher before transmitting the message to a message handler, wherein the message dispatcher selects the message handler from a set of one or more message handlers by consulting a database. Therefore, the “Spaur” reference does not anticipate the subject matter of claim 1.

Furthermore, the Office Action asserts that elements 106 (data memory) and 114 (program memory) of the “Spaur” reference disclose a database as in claim 1. However, there is no indication in the sections of the “Spaur” reference cited in the Office Action that either of elements 106 or 114 is consulted by a message dispatcher for selecting a message handler from a set of one or more message handlers, as in claim 1 as presented. In particular, data memory 106 apparently stores “data that has been generated and is expected to be useful in handling requests or commands.” (Spaur; col. 8, ll. 48-49). Similarly, program memory 114 apparently stores “a number of short executable programs.” (Spaur; col. 8, ll. 62-63). Neither of these descriptions identically discloses (or even suggests) a database consulted by a message dispatcher for selecting a message handler from a set of one or more message handlers, as in claim 1. For at least the reasons discussed above, withdrawal of the anticipation rejection as to claim 1 is respectfully requested.

The Final Office Action’s response to the arguments presented above restates the previously presented grounds for rejection. In particular, the Final Office Action asserts that controller/network protocol converter 30 of Figure 2 of the “Spaur” reference discloses a

message dispatcher according to claim 1. However, as explained above, the Final Office Action also asserts that this element of the “Spaur” reference discloses a message handler. Since the method according to claim 1 recites “receiving the message ... by a message dispatcher before transmitting the message to a message handler”, it is apparent that the message dispatcher and message handler must be distinct features. This conclusion follows in light of a further feature of claim 1, which states that “the message dispatcher selects the message handler from a set of one or more message handlers by consulting a database.” If, as asserted by the Final Office Action, controller/network protocol converter 30 discloses a message handler, it is clear that only one message handler is shown in Figure 2 of the “Spaur” reference, and therefore the “Spaur” reference does not identically disclose (or even suggest) a message dispatcher selecting from a set of one or more message handlers, as provided for in the context of claim 1.

Furthermore, the Final Office Action cites an additional section of the “Spaur” reference in response to the arguments presented above that the databases assertedly disclosed in the “Spaur” reference do not disclose a database that is consulted by the message dispatcher to select the message handler from one or more message handlers. (Office Action; page 13, ll. 16-18). Data memory 106 and program memory 114 are shown in figure 2 of the “Spaur” reference, but there is no indication that they are consulted by a message dispatcher to determine which of one or more message handlers to which a message is transmitted. The sections of the “Spaur” reference cited in the Final Office Action also do not disclose the claimed consultation.

The first section apparently discusses storing data in data memory 106, (Spaur; col. 10, ll. 58-64), while the second cited section apparently discusses data memory 106 being used to store physical data (Spaur; col. 8, ll. 49-53). The section following the cited section of the Spaur reference is further enlightening in this regard, as it discusses data memory 106 being used to store data that is later transmitted over the internet (Spaur; col. 8, ll. 55-58). Similarly, a reference in this part of the “Spaur” reference illustrates the function of program memory 114, which is to store typically short executable programs (Spaur; col. 8, ll. 61-63). None of these cited sections discuss, or even suggest, accessing data memory 106 for the purpose of selecting a message handler, as with claim 1.

The Final Office Action further asserts that the “Spaur” reference discloses a database according to claim 1 since it “stores the configuration information data, and the data that is useful for commands and requests.” (Office Action; page 14, ll. 15-18; citing Spaur; col. 8, ll.

45-60). However, there is no indication that either of the databases referred to in the “Spaur” reference is consulted by a message dispatcher to determine to which message handler a message should be transmitted. Furthermore, the reference by the Examiner to “configuration information data” is apparently a paraphrase of the “Spaur” reference’s discussion of “[i]n this configuration, the web server 102 is able to access the data memory 106 and obtain such configured data for encapsulation or incorporation in the http format for communication over the Internet 68.” (Spaur; col. 8, ll. 55-58). However, this section refers to data being encapsulated or incorporated in the http format. This is presumably the physical data stored in these elements discussed above. There is no indication that this is configuration data, or more importantly, that it is data being accessed by a message dispatcher to determine to which message handler a message should be transmitted.

The Final Office Action’s following discussion appears to argue that the “Spaur” reference inherently discloses the features of the presently claimed subject matter. (Final Office Action; page 15, ll. 1-19). In particular, the Final Office Action asserts that a “CPU cannot possibly select, enables and processes [sic] these elements without the stored/memorized intelligent stored [sic] in the memory.” (Final Office Action; page 15, ll. 5-6, emphasis in original). However, an argument by inherency must show at least that the assertedly inherent features **necessarily follow** from the disclosed structure. The argument in the Final Office Action fails to meet this standard. A processor does not necessarily consult a database to determine to which message handler to send a message. Therefore, the cited reference does not anticipate the subject matter of claim 1.

Claims 3-11 and 13-16 depend from claim 1 and are therefore allowable for at least the same reasons that claim 1 as presented is allowable.

Claim 17 relates to a system that includes a feature similar to the one described above, namely, a message dispatcher adapted to receive a message from a first driver before transmitting the message to a message handler, wherein the message dispatcher is adapted to select the message handler from a set of one or more message handlers by consulting a database. Therefore, for at least the reasons discussed above, withdrawal of the anticipation rejection as to claim 17 is respectfully requested.

Claims 19-27 and 29-32 depend from claim 17 and are therefore allowable for at least the same reasons that claim 1 is allowable.

Claims 12, 28, and 33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the “Spaur” reference in view of the “Wunderlich” reference.

For a claim to be rejected for obviousness under 35 U.S.C. § 103(a), not only must the prior art **teach or suggest each feature of the claim, but the prior art must also suggest combining the features in the manner contemplated by the claim.** See Northern Telecom, Inc. v. Datapoint Corp., 908 F.2d 931, 934 (Fed. Cir. 1990), cert. denied, 111 S. Ct. 296 (1990); In re Bond, 910 F.2d 831, 834 (Fed. Cir. 1990). The Examiner bears the initial burden of establishing a *prima facie* case of obviousness. M.P.E.P. §2142. To establish a *prima facie* case of obviousness, the Examiner must show that there is some **suggestion or motivation**, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, **to modify or combine the references** and that, when so modified or combined, the prior art **teaches or suggests all of the claim features.** M.P.E.P. §2143. It is respectfully submitted that these criteria for obviousness are not met here.

Claims 12 and 28 depend from claims 1 and 17 as presented, respectively, and are therefore allowable for at least the same reasons as claims 1 and 17 are allowable, as explained above, since the secondary reference does not cure the critical deficiencies of the primary reference.

Independent claim 33 relates to a system for translating a message of a Controller Area Network protocol to a Bluetooth protocol, which includes a message dispatcher adapted to receive the message from the first driver before transmitting the message to the message handler, wherein the message dispatcher is adapted to select the message handler from a set of one or more message handlers by consulting a rules database. As explained above, neither the “Spaur” nor the “Wunderlich” reference discloses or even suggests this feature, and therefore the claim is allowable over the combination of the references.

For at least the reasons discussed above, withdrawal of the obviousness rejections as to claims 12, 28, and 33 is respectfully requested.

Accordingly, claims 1, 3 to 17 and 19 to 33 are allowable.

**CONCLUSION**

It is therefore respectfully submitted that all of claims 1, 3 to 17 and 19 to 33 of the present application are allowable. It is therefore respectfully requested that the rejections be withdrawn. Prompt reconsideration and allowance of the present application are therefore respectfully requested.

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